

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-09-05**

Date Published: August 30, 2007

For Work Week Commencing: September 3, 2007

Commission Meeting: September 5, 2007 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2006.10.143 – Qwest – Qwest Customers v. Qwest – Discuss and act on Qwest's motion for protective order. (9/05/07)
2. L-07.05.2-RUL – QF Rulemaking – First post-hearing preliminary discussion, direction, possible action on proposed rule amendments. (9/05/07)

3. Payment arrangements with NWE – Discuss and approve payment arrangements between 2 complainants and NWE. (9/05/07)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Montana-Dakota Utilities D2007.7.90
(Dave)

On July 25, 2007 Montana-Dakota Utilities (MDU) filed a request to change the date of the annual Unreflected Gas Cost Adjustment filing required under its Gas Cost Tracking Adjustment Rate 88 (PGA) from May 1 each year to October 1 each year. The change is requested to better match the effects of the withdrawals of gas from storage with the replacement of that gas within the same annual period. MDU believes this will reduce the fluctuations in the annual tracking adjustment as well as reduce the need for out-of-cycle unreflected gas cost adjustments. MDU asks for an October 1, 2007 effective date. Probable motion: Approve MDU's request.

2. NorthWestern Energy N2007.8.97 (Will)

To date NWE's electric tariff has not reflected the terms and conditions under which NWE provides net metering. On August 20, 2007, at PSC staff's request, NWE filed a new Tariff Rule No. 16 to formally establish the tariff terms and conditions related to net metering service.

Section 69-8-601 *et seq.*, MCA, requires NWE to allow customers to interconnect net metering systems of 50 kW or less. NWE has developed an interconnection agreement for net metering and currently has agreements with approximately 350 customers totaling 1,126 kW of installed capacity.

Net metering impacts a customer's bill by reducing the kWh to which tariffed rates are applied. The customer is billed for the kWh consumed through the electric meter after netting the customer's own kWh production. On an annual basis, a customer may offset completely their kWh consumption but may not be paid for excess production.

3. Qwest N2007.8.99 (Scott)

On August 24, 2007, Qwest filed Tariff Transmittal 07-04. This filing introduces one, two, and three-year term agreement pricing option for Qwest Choice™ Business, Qwest Choice™ Business Plus and Add-A-Line packages. This filing also proposes to grandfather the current term discount pricing option for the above named packages. Qwest is requesting a September 24, 2007, effective date.

4. Citizens Telecommunications N2007.8.100 (Scott)

On August 27, Citizens filed Advice Letter No. MT-07-08, Access tariff filing. The purpose of this filing is to introduce 8XX Data Base Service. 8XX Data Base Service is an Originating offer of Switched Access Service utilizing the SS7 Signaling Network. Citizens requests that this filing become effective on September 27, 2007.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. NorthWestern Energy (NWE) D2007.7.82 (AI)

On August 29, 2007, NWE filed a motion for protective order to govern access to certain confidential information that will be provided in response to data requests. Specifically, NWE seeks protection it's federal and state tax

returns for 2003 through 2006. NWE asserts that the information is confidential as a matter of federal and state law.

2. Qwest Corporation D2005.6.105 (Martin)

On August 24, 2007, Qwest Corporation filed a Motion for Protective Order to govern disclosure of detailed compilation of capital expenditures in 63 high-cost exchanges, detailed compilation of number of customers subscribing to specific services, and cost-to-rate comparison for local rate structures in the above docket. The above docket is a PSC investigation of Qwest's use of federal universal service funds. Qwest views the identified information as trade secret and confidential.

3. Montana-Dakota Utilities Co. D2007.4.36 (Martin)

On August 27, 2007, Montana Dakota Utilities Co. filed a Motion for Protective Order to govern disclosure of the details of natural gas purchase contracts, negotiations related to such contracts, and price information and forecasts used in those negotiations, all being information that will be submitted in the above docket. The above docket is MDU's 2007 annual gas cost tracker. MDU views the identified information as trade secret and confidential.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2007.8.98 – Qwest Corporation and NOS Communications, Inc. – Interconnection Agreement on Resale and Proposed Notice

N2007.8.99 – Qwest Corporation – Tariff Transmittal 07-04 – Introduce term agreement pricing for Qwest Choice™ Business, Qwest Choice™ Business Plus and Add-A-Line Packages and Grandfather Term discount pricing for same packages

N2007.8.100 – Citizens Telecommunications Company of Montana d/b/a Frontier Communications of Montana – Access Tariff MT-07-08 – Introduce 8XX

data base service. 8XX data base service is an originating offer of Switched Access Service utilizing the SS7 Signaling Network